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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/334,617	06/17/1999	YOSHIHIRO IDA	P18051	5530

7055 7590 01/14/2004

GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER

GIBBS, HEATHER D

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 01/14/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Col 10

27- redian or
re consider

Table is not evident in claims

Office Action Summary

Application No.

09/334,617

Applicant(s)

IDA ET AL.

Examiner

Heather D Gibbs

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-30 is/are rejected.
- 7) ☒ Claim(s) 28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 June 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,5,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received 10/29/2003 and has been entered and made of record. Claims 1-23 are cancelled. Claims 24-30 are newly added.

Response to Arguments

2. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 24-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Feder (US 5,872,845).

Considering claim 24, Feder teaches of a server apparatus connected with a transmitting facsimile and a receiving facsimile via the internet, the server apparatus comprising: a memory 245 configured to store capabilities regarding facsimile data that the receiving facsimile can receive; and a controller 240 configured to receive facsimile data from the transmitting facsimile, to transform the received facsimile data into a type of facsimile data that the receiving facsimile can receive, based on the capabilities stored in

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the memory, and to transmit the transformed facsimile data to the receiving facsimile (Col 4 Lines 41-51; Col 5 Lines 47-55; Fig 2A). *Col 10 lines 34-45,*

Regarding claim 25, Feder discloses wherein a capability regarding a facsimile data is a type of file data that the receiving facsimile can receive (Col 5 Lines 17-34).

Regarding claim 26, Feder teaches wherein a type of file data is at least one of MH, MR, MMR, or JPEG (Col 8 Lines 24-36).

Considering claim 27, Feder teaches a server apparatus connected with a facsimile via the Internet, the server apparatus comprising: a memory 245 configured to store capabilities regarding facsimile data that the facsimile can receive; a controller configured to receive, from the facsimile, and email with a predetermined address, the email indicating the capabilities of the facsimile to be stored in the memory, and to store the capabilities of the facsimile in the memory (Col 8 Lines 37-68). *Col 10 lines 34-45
Col 4 lines 41-51, Col 5 Lines 47-55*

Regarding claim 28, Feder teaches wherein the controller determines whether or not the e-mail address is the predetermined address, and in response to a determination that the e-mail address is the predetermined address, and in response to a determination that the e-mail address is the predetermined address, stores the capabilities of the facsimile in the memory (Col 8 Lines 46-50).

Considering claim 29, Feder teaches an internet facsimile apparatus connected with a server apparatus via the internet, the internet facsimile apparatus comprising: a communicator configured to communicate with a server apparatus via the internet; a controller configured to transmit to the server by email, capabilities regarding facsimile data that the Internet facsimile apparatus can receive, the transmitted email having a predetermined address, the email indicating the capabilities of the internet facsimile

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apparatus to be stored in the server apparatus (Col 4 Lines 41-51; Col 5 Lines 47-55; Fig 2A ;Col 8 Lines 37-68).

Claim Objections

5. Claim 28 is objected to because of the following informalities: repetition of words "stores the". Appropriate correction is required.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

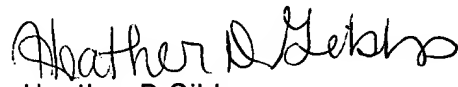
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D Gibbs whose telephone number is 703-306-4152. The examiner can normally be reached on M-F 8AM-4PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.



Heather D Gibbs
Examiner
Art Unit 2622

hdg



EDWARD COLES
SUPERVISORY PATENT EXAMINER
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